

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

v.

Docket No. 15-CR-13
Section "C"
New Orleans, Louisiana
Wednesday, May 20, 2015

RACE ADDINGTON

TRANSCRIPT OF SENTENCING PROCEEDINGS
HEARD BEFORE THE HONORABLE HELEN G. BERRIGAN
UNITED STATES DISTRICT JUDGE

APPEARANCES:

FOR THE GOVERNMENT:

UNITED STATES ATTORNEY'S OFFICE
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New Orleans, LA 70130

FOR THE DEFENDANT:

MANASSEH, GILL, KNIPE & BELANGER
BY: BEAU J. BROCK, ESQ.
ANDRE R. BELANGER, ESQ.
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P R O C E E D I N G S

(WEDNESDAY, MAY 20, 2015)

(SENTENCING PROCEEDINGS)

(OPEN COURT.)

THE DEPUTY CLERK: Criminal Action No. 15-13(C), *United States of America v. Race Addington*.

MS. GREENFIELD: Emily Greenfield for the United States.

MR. BROCK: Good morning, Judge, Beau Brock and Andre Belanger on behalf of Mr. Addington. Mr. Addington is present.

THE COURT: And Ms. Emily is here. This matter is before us for sentencing. Is there any reason why sentence should not go forward at this time?

MS. GREENFIELD: Not from the government.

MR. BROCK: None from the defense, your Honor.

THE COURT: And, Mr. Addington, have you received a copy of the presentence report?

THE DEFENDANT: Yes, ma'am.

THE COURT: You've had an opportunity to read it?

THE DEFENDANT: Yes, ma'am.

THE COURT: I understand that neither you nor the government or the defense have made any objections to the report; is that correct?

THE DEFENDANT: Yes, ma'am.

MS. GREENFIELD: That's correct.

THE COURT: I state for the record there are no errors, corrections, alterations, additions, or objections that the government or the defense wish to make to the PSI. There being no objections to the factual statements contained in the PSI, I will adopt those statements as my findings of fact and order that the PSI, with the exception of the probation officer's recommendation, be made a part of the record and filed under seal.

There are no objections to the probation officer's conclusions as to the applicable guidelines, so I will adopt those conclusions: Total offense level of eight, criminal history category of I, which would indicate zero to six months imprisonment, one to three years supervised release, 1,000 to \$10,000 fine, plus costs of imprisonment and supervision, one to five years probation, restitution is not applicable, and there is \$100 special assessment per count.

Because of the waiver of appellate rights that was in your original presentence report, I only conditionally accepted your plea at the time of re-arraignment. Now that you've had an opportunity to review the presentence report for errors, do you wish to go forward with your guilty plea?

THE DEFENDANT: Yes, ma'am.

THE COURT: Mr. Addington, is there anything you would like to say before sentence is imposed?

THE DEFENDANT: Yes, ma'am. To say I am sorry doesn't even begin to reflect the remorse that I have for this situation,

your Honor. I spent 30 years trying to build a reputation that I have in the oilfield and be a citizen of the United States, but this one judgment that I've made has tarnished that probably beyond repair. I've gone back about 15 years in the industry, not only because of this but due to the crash in the oilfield and everything. But to say the least, I've gone from a management type of operation down to -- over several people down to a smaller type management where it's more physical, strenuous, and spending more time away from my family, sort of like I did when I first started in the oilfield.

It was a decision that I shouldn't have made, it was more from the heart than it was from a professional standpoint. I didn't want to see other people lose a position because of what was going on, and I made a judgment call without taking in consideration rules and regulations of the federal government.

And on top of that, I falsified documentation and tried to cover it up, which seems to be the worst part of the whole situation.

I understand the rules and regulations fully, probably more so now than I ever have. And due to this, I feel like it's been a positive in the industry because of the recognition that it's had. I've had several companies state that it's become an icon in their safety meetings because of my reputation of the way it was and what can happen due to a bad call or disregarding the rules and regulations.

09:24:02 1 I fully accept responsibility for what I've done. And
09:24:10 2 that's all I have to say.

09:24:11 3 THE COURT: You've had a very tough life. It's a real
09:24:15 4 credit to you that you've succeeded as well as you have. You should
09:24:21 5 be -- I know this is kind of a grim day for you right now, but you
09:24:25 6 should be very proud of the achievements that you have been able to
09:24:30 7 make over this period of years, because as I said, you had a very
09:24:34 8 tough upbringing. So don't -- this will just be a minor setback
09:24:40 9 because I am sure you're going to sail on and get back into the
09:24:44 10 industry and get back doing the things that you really wanted to do.
09:24:49 11 So I commend you. I commend you for that.

09:24:53 12 THE DEFENDANT: Thank you, your Honor.

09:24:54 13 THE COURT: Okay. Mr. Brock, anything you want to say?

09:24:59 14 MR. BROCK: Just I think you've obviously read the PSR,
09:25:03 15 Judge, and you've seen Mr. Addington's humble roots he came from,
09:25:08 16 the difficulty he had as a child; and for someone from
09:25:11 17 Mr. Addington's high school degree to move from the base and get to
09:25:15 18 the summit, almost, of what he could do with his education, and now
09:25:21 19 I think he has a recognition of what not following the rules can
09:25:26 20 impact his family. It's even hurting him worse now because of the
09:25:31 21 downturn of the oil and gas industry. He has no chance to in any
09:25:35 22 way make any kind of money for at least a decade from what where he
09:25:40 23 was at. And he understands.

09:25:41 24 And I just want to say his words were totally unscripted
09:25:44 25 and from the heart. We asked him if he wanted to say anything, and

09:25:49 1 I know this is weird, but I am very proud that he was able to come
09:25:52 2 in here and state to the court his feelings and his remorse.

09:25:57 3 THE COURT: I have no doubt that you're going to sail off
09:26:01 4 and be successful again, I have no doubt, you have that kind of
09:26:05 5 determination. You're very impressive.

09:26:06 6 THE DEFENDANT: It's been more of an embarrassment to my
09:26:08 7 family than it has --

09:26:09 8 THE COURT: But that'll pass and you'll just keep on
09:26:12 9 trucking. I'm confident that you will do that.

09:26:16 10 Ms. Greenfield, anything you would like to say?

09:26:18 11 MS. GREENFIELD: Your Honor, we had submitted a sentencing
09:26:20 12 memoranda earlier in the week, so we would just reiterate what we
09:26:25 13 included in that. This is serious business when you talk about the
09:26:31 14 safety mechanisms of things that are in place in the Gulf and that
09:26:37 15 for those that are like Mr. Addington and in those positions to
09:26:40 16 ensure that everyone is following all of the safety protocols they
09:26:45 17 need to do that and be deterred from not only from not following
09:26:50 18 them and cutting a corner for safety, but then, again,
09:26:56 19 Mr. Addington's here also because of the lies to the government
09:27:00 20 about that.

09:27:02 21 THE COURT: Pursuant to the Sentencing Reform Act of 1984
09:27:04 22 and considering the provisions of 18, U.S.C., 3553, it's the
09:27:08 23 judgment of the court that the defendant, Mr. Race Addington, is
09:27:11 24 hereby placed on probation for a term of one year. This term
09:27:15 25 consists of one year as to Count 1 and one year as to Count 2, all

terms to run concurrently.

While on probation, Mr. Addington shall not commit another federal, state or local crime; shall comply with the standard and mandatory conditions that have been adopted by this court; shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon; and shall cooperate in the collection of DNA as directed by the probation officer. He also shall not unlawfully possess or use an illegal controlled substance.

In addition the following special conditions are imposed: He shall perform 40 hours of unpaid community service as directed by the U.S. probation officer, which I don't think you'll have any problem with; you shall maintain full-time employment; shall cooperate with the Internal Revenue Service; and shall undergo random urinalysis as directed by the U.S. probation officer.

I find Mr. Addington does not have the ability to pay a fine, so I'll waive the fine in this case.

It is further ordered that the special assessment of \$200 shall be paid, is due immediately.

This is a guideline sentence, there is no reason to depart from the sentence called for by application of the guidelines, in as much as they are of the kind contemplated by the sentencing commission.

All right. I assume you do not wish to appeal?

THE DEFENDANT: No, ma'am.

THE COURT: Okay. All right. You do well.

09:28:36 1 THE DEFENDANT: Thank you, your Honor.

09:28:37 2 THE COURT: I am actually very proud to have met you.

09:28:40 3 THE DEFENDANT: Thank you, your Honor.

09:28:41 4 MR. BROCK: Thank you, your Honor.

09:28:42 5 MR. BELANGER: Thank you, your Honor, and thank you for
09:28:43 6 the words of encouragement.

7 (WHEREUPON, THE PROCEEDINGS WERE CONCLUDED.)

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REPORTER'S CERTIFICATE

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/s/ Karen A. Ibos

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Karen A. Ibos, CCR, RPR, CRR, RMR

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Official Court Reporter

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